



Captain Cunningham is a Master Mariner and marine surveyor who will provide expert testimony on matters related to the collision. Captain Cunningham's opinions, including the bases and reasons for his opinions, are set forth in his report, which, along with his curriculum vitae, case/publications list, and fee schedule were previously produced to counsel for all parties with Kirby's designation of experts. Captain Cunningham's responsive report is now being produced to counsel for all parties.

**Captain John R. Sutton**  
**P.O. Box 111**  
**Fairfield, KY 40020**

Captain John Sutton is an inland towing vessel pilot. He may offer expert testimony as to the navigation and operation of the M/V VOYAGER, the competency of the VOYAGER's crew, and Kirby's training programs. Captain Sutton's opinions, including the bases and reasons for his opinions, are set forth in his report, which includes his rates and case/publications list. His report and curriculum vitae are being produced to counsel for all parties.

**Non-Retained Experts**

Kirby reserves the right to elicit, by way of direct or cross-examination, testimony from those individuals identified as experts by other parties to these proceedings. Kirby also reserves the right to elicit opinion testimony from lay witnesses as permitted by Fed. R. Evid. 701. Kirby also reserves the right to call undesignated rebuttal or impeachment expert witnesses whose testimony cannot be reasonably foreseen until the presentation of the evidence.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 28th day of September, 2020, a true and correct copy of this document was served on all counsel of record via e-serve, email, facsimile, first class mail and/or otherwise.

/s/ Misha J. Paltiyevich  
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